



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
OFFICE OF THE DIRECTOR

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September 21, 2014

Board of Forestry and Fire Protection
Attn: Edith Hannigan
Board Consultant, SRA
P.O. Box 944246
Sacramento, CA 94244-2460

Re: Notice of Proposed Rulemaking – SRA Fire Safe Regulations Update, 2014

Dear Ms. Hannigan:

The County of Humboldt appreciates the opportunity to comment on the proposed SRA Fire Safe Regulations Update, 2014. We ask that our comments be made part of the hearing record.

As you may be aware, Humboldt County exercised the option of adopting its own Alternative Fire Safe Regulations in 1991 and received certification by the Board of Forestry. Ordinance 1952 has been our standard for addressing PRC Section 4290 since its adoption. The Humboldt County Alternative Fire Safe Regulations incorporate many existing local ordinance requirements that address the elements of defensible space under PRC Section 4290, including standards for emergency access, addressing and building numbering and emergency water supply. The state certification of the County's Alternative Fire Safe Regulations demonstrates that the ordinance provides the same practical effect with regard to defensible space measures as the State's Fire Safe Regulations.

We understand that the experience of CalFire and other emergency responders since 1991 has caused the Board of Forestry to undertake the current review and possible update of the SRA Fire Safe Regulations. The County itself has worked since 1991 to develop a county-wide Community Wildland Fire Protection Plan to assess capabilities and risks and improve community preparedness, an effort which included the contributions of many stakeholders covering 13 planning sub-areas. The County's Alternative Fire Safe Regulations are a core element of this plan.

Our principal comment on the proposed revisions is that the County continues to support Ordinance 1952 as it provides workable and effective measures for ensuring defensible space while accommodating local conditions. This includes the ability to utilize the County's roadway design manual with built in mitigation to address topographic and environmentally constraints that would otherwise preclude development. These measures were previously evaluated and were found to be of the same or greater effectiveness than the SRA regulations. The process to develop these regulations included a citizen's advisory committee working closely with CalFire to insure that the intent and application of the regulations met the diverse conditions in our county while providing for defensible space.

Section 1270.03 in the original release draft of the regulations raised questions for the County as to how existing ordinances would be treated under the proposed changes to the SRA Fire Safe Regulations. That section referred to situations where "previously certified ordinances are subsequently amended by local jurisdictions without Board re-certification of the amended ordinances" and further, "The Board's regulations supersede the amended local ordinance(s) when the amended local ordinance(s) are not re-certified by the Board." This section appears

to have been removed or omitted from the present notice of proposed rulemaking published July 4, 2014. It should be noted that the County has not proposed any amendment to our Ordinance 1952.

With Section 1270.03 omitted and the effect of the proposed changes on counties with certified ordinances unclear, is important for us to know how the process currently underway affect the County's own Alternative Fire Safe Regulations. If the SRA Fire Safe Regulations Update, 2014 changes are adopted by the Board of Forestry will the County be mandated to resubmit its Ordinance 1952 for recertification? If the County's previously certified alternative regulations will be affected, does the Board of Forestry intend to offer the County ample time and financial support to enable the County to re-initiate its original process and re-engage community members and stakeholder groups in the development of appropriate amendments to our regulations?

Additionally, our Department of Public Works has reviewed the draft regulations and has offered the comments in the attached memorandum. Please give these comments your full consideration.

We thank you for the opportunity to comment. Your response to the questions raised will be very much appreciated.

Sincerely,



Kevin R. Hamblin, AICP
Director

Attachment

cc: Humboldt County Board of Supervisors
Phillip Smith-Hanes, County Administrative Officer
Cybelle Immitt, Department of Public Works
Mark Rodgers, California Department of Forestry and Fire Protection



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DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Steve Werner, Supervising Planner, Planning & Building Department

FROM: Robert W. Bronkall, Deputy Director *RB*

DATE: 08/21/2014

RE: **COMMENTS ON THE DRAFT CALFIRE FIRE SAFE REGULATIONS
FOR STATE RESPONSIBILITY AREAS**

The Department is in receipt of the Notice of Proposed Rulemaking for "SRA Fire Safe Regulations Update, 2014", published 07/04/2014. Pursuant to your request, the Land Use Division reviewed the document and offers the following comments:

1273.02 Roadway Surface

A definition is needed for what an all-weather driving surface is.

1273.05 Roadway Turnarounds

Ideally, this section should be broken down into two parts: cul-de-sac turn-arounds; and T/Hammerhead turn-arounds. The proposed language for the cul-de-sac is not clear and should be revised. The dimensions for the T/Hammerhead turnaround should be specified; as well as any radii that are needed. A diagram for both types of turn-arounds is recommended; as this will ensure that they are built to specification.

1273.01 Road Width; 1273.10 Driveways; and 1273.06 Roadway Turnouts

Increasing the minimum width of roads, driveways and turnouts may be problematic in mountainous areas. In flat to moderate terrain, the wider width can be accommodated. However, in the mountainous areas of the county, constructing new roads (or widening existing roads) to the proposed minimum standard may not be feasible without constructing retaining walls. It may be worthwhile to consider Average Daily Traffic (ADT) in conjunction with roadway widths for mountainous areas. The inclusion of standards for mountainous areas would also require a definition of what mountainous terrain is.

In addition, constructing wider roads (or expanding existing roads) in environmentally sensitive areas may be problematic as well. It is not uncommon to have "pinch points" at stream crossings/culverts where the road necks down to one lane and then widens after the culvert.

1273.11 Gates

Item (c): A definition is needed for security gates. It is unclear why this section would only apply to security gates and not all types of gates.

The Department requests that clarification be provided to the County in how the State's proposed regulations will affect the County's Ordinance No. 1952. In particular, will the County's ordinance continue to take precedence over the State's proposed regulations *-or-* will the County need to modify Ordinance No. 1952 to reflect changes resulting from the proposed regulations?

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